

REMARKS

The following is supplied in response to the Office Action mailed November 14, 2005, and the references cited therein.

Claim 18 has been amended and claims 32-45 have been added, and as a result claims 18, 19, 21-23, and 32-45 are pending in the application. No new matter has been added.

§102 Rejection of the Claims

Claims 18, 19, and 21-23 remain rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,528,020 issued to Dai, et al. ("Dai").

The Examiner maintains the rejection over Dai, stating that, "'suspendable in liquid' can have a lot of different meanings, one of which is that it can be simply put into the liquid," without supplying a reference for this assertion. Applicants respectfully disagree with the Examiner's statement. Applicants submit that to suspend in the context of the invention means "to keep (small insoluble particles) more or less evenly dispersed throughout a fluid (*i.e.*, a liquid or a gas)." (Definition 5 from The AND Dictionary.) As previously argued, in contrast, Dai teaches the formation of carbon nanotubes at catalyst islands that are attached to a substrate. The resulting carbon nanotubes are also attached to the substrate via the catalytic center. Since the carbon nanotubes of Dai are attached to a substrate they are not capable of dispersion throughout a liquid (suspension in a liquid). The physical attachment of the carbon nanotubes of Dai to a substrate surface prevents them from being suspended in a liquid. Thus the ability to be suspended in a fluid represents a structurally-based limitation.

Claims 18, 19, and 21-23 are additionally rejected under 35 U.S.C. §102(b) as being anticipated by Hamon, et al. (Adv. Mater., vol. 11, pp. 834-840, 1997) ("Hamon"). Applicants believe that the claims currently presented are distinguishable over Hamon because the carbon nanotubes of Hamon are homogeneously functionalized (*i.e.*, functionalized with the same molecule) at the ends of the tubes. In contrast, Claims 18, 19, 21-23, and 32 are directed to non-homogeneously functionalized carbon nanotubes (nanotubes functionalized with two or more different molecules). Claims 33-38 are

directed to an assembly having two or more fullerene molecules attached to a reactive molecule, and Claims 39-45 are directed to an assembly having a reactive molecule that is capable of detecting a sequence of DNA through hybridization.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance and notification to that effect is earnestly requested.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,
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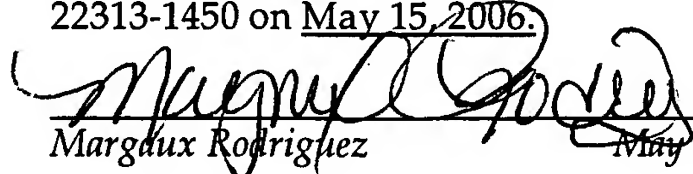
Dated: May 15, 2006

By: 
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450 on May 15, 2006.


Margaux Rodriguez May 15, 2006